

REMARKS

Claims 1-10 are all of the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 102(a)

The Examiner maintained the rejection of claims 1-7 and also rejected newly added claims 8-10 under 35 U.S.C. § 102(a) as allegedly being anticipated by Japanese Patent Application Publication No. 2002-196739 to Yoshiro (hereinafter “Yoshiro”). Applicant respectfully traverses this rejection and respectfully requests that the Examiner reconsider the rejection at least in view of the comments which follow.

Turning first to independent claim 1, in the Amendment filed on April 16, 2008, Applicant respectfully submitted that Yoshiro does not disclose or suggest “a coating area of the electrode provided on two substrates respectively is patternized with respect to a projected area of respective cells,” as recited, *inter alia*, in claim 1.¹ The Examiner points to FIGS. 2(A), 2(B), 3, and 7, and paragraphs 0047, 0048, 0054, and 0055 of Yoshiro. But Yoshiro does not disclose or suggest any specific pattern or arrangement of the electrodes or coating area of the electrode with respect to a projected area of respective cells.

The cited paragraphs of Yoshiro merely disclose that “the particle expression medium 15 is the composition that the display lateral electrode 22, the spacer 26, and the back lateral electrode 25 were formed in order between the transparent display substrate 20 and the back substrate 23 which form a picture display surface” (*see* paragraph 0047 of Yoshiro). Yoshiro further discloses that the display substrate 20 comprises a transparent ITO electrode of the light

¹ Applicant’s understanding of Yoshiro is based on a machine translation, a copy of which was attached to the Amendment filed on April 16, 2008.

transmittance state, for example, and the back substrate 23 comprises an epoxy group board with an electrode (*see* paragraph 0048 of Yoshiro). A person of ordinary skill in the art would clearly understand that merely disclosing arranging the display lateral electrode, the spacer, and the back lateral electrode in a particular order is not the same as patternizing a coating area of the electrode provided on two substrates respectively with respect to a projected area of respective cells.

In response to this argument for patentability, the Examiner alleges that FIGS. 2(A), 2(B), 3, and 7 of Yoshiro show that “the electrode coating area is patternized with respect to a projected area of respective cells” and that “electrode ‘22’ and ‘25’ are patterned so that a piece of the electrode is in each of its respective cell” (*see* page 5 of the Office Action). Applicant respectfully disagrees.

Instead of showing that the coating area of the electrode provided on two substrates respectively is patternized with respect to a projected area of respective cells, FIGS. 2(A), 2(B), 3, and 7 of Yoshiro show that the electrode coating area covers substantially 100% of the projected area of the respective cells. Thus, the electrode coating area is not patternized with respect to a projected area of respective cells but rather covers substantially all of the projected area of respective cells (*see, e.g.*, FIG. 3 of Yoshiro).

Applicant respectfully submits that a person of ordinary skill in the art would understand that configuring a display device such that a piece of the electrode is in each cell is not the same as patternizing the electrode coating area with respect to a projected area of respective cells because the electrodes are configured to cover substantially 100% of the projected area of respective cells rather than arranged in any particular pattern.

Applicant respectfully submits that claim 1 is patentable over Yoshiro at least for the above-discussed reasons. Furthermore, Applicant respectfully submits that claims 2-4 and 8-10 are patentable over Yoshiro at least by virtue of their dependency on claim 1.

Turning now to independent claim 5, in the Amendment filed on April 16, 2008, Applicant respectfully submitted that Yoshiro does not disclose or suggest “in the case of arranging the image display panel vertically in a stationary manner, the electrode is patternized in such a manner that no electrode portion is formed at a vertically lower portion in respective cells,” as recited, *inter alia*, in claim 5. The Examiner again points to FIGS. 2(A), 2(B), 3, and 7, and paragraphs 0047, 0048, 0054, and 0055 of Yoshiro. As noted with respect to claim 1, however, Yoshiro does not disclose or suggest any specific pattern or arrangement of the electrodes or coating area of the electrode, much less that no electrode portion is formed at a vertically lower portion in respective cells.

Additionally, the Examiner alleges that “in the case of arranging the image display vertically the electrode ‘25’ will be in the vertical position and the electrode ‘25’ is pattern in such a manner that none of electrode ‘25’ will be in the lower portion of the respective cell” (*see* page 4 of the Office Action dated August 20, 2008). Applicant respectfully disagrees.

As shown most clearly in FIG. 3 of Yoshiro, the display lateral electrodes 22 and back lateral electrodes 25 extend all the way to the edge of the cells to the spacers 26. Accordingly, Yoshiro fails to disclose or suggest that in the case of arranging the image display panel vertically in a stationary manner, the electrode is patternized in such a manner that no electrode portion is formed at a vertically lower portion in respective cells, showing instead that the electrodes extend to the edge portions of the cells.

In response to this argument for patentability, the Examiner alleges that if the display shown in FIG. 7 of Yoshiro were turned vertically, there would be no electrode portion 22, 25 at a vertically lower portion in the respective cells. Applicant respectfully disagrees.

FIG. 7 of Yoshiro shows that the electrode portion 22, 25 covers substantially all of the projected area of respective cells. Moreover, according to Yoshiro, if the display side of the display substrate 20 is pressed by the pen member 34, the pressure-sensitive conductivity transparent sheet 21 of the pressed part will serve as conductivity, and by this, the pen member 34 impresses the voltage only to the display lateral electrode 22 of the pressed part (*see* paragraph 0067 of Yoshiro). Applicant thus respectfully submits that, for the pen member to impress the voltage to the display lateral electrode 22 of the pressed part, the electrodes disclosed by Yoshiro would necessarily cover substantially all of the projected area of respective cells.

At least for these reasons, Applicant respectfully submits that claim 5 is patentable over Yoshiro. Furthermore, Applicant respectfully submits that claims 6 and 7 are patentable over Yoshiro at least by virtue of their dependency on claim 5.

Turning to claims 8, 9, and 10, the Examiner alleges that FIG. 7 of Yoshiro discloses “the coating area of the electrode provided on two substrates respectively is patternized in such a manner as to prevent uneven distribution of the particles to a portion of the partition walls formed around the plurality of cells after application of the electrostatic field produced by the electrodes to the particles,” as recited *inter alia*, in claim 8.

The Examiner also alleges that FIG. 7 of Yoshiro discloses “the coating area of the electrode provided on two substrates respectively is patternized in such a manner as to prevent production of agglutination members at a portion of the partition walls formed around the

plurality of cells after application of the electrostatic field produced by the electrodes to the particles,” as recited, *inter alia*, in claim 9.

The Examiner further alleges that FIG. 7 of Yoshiro discloses “the coating area of the electrode provided on two substrates respectively is patternized in such a manner as to prevent particle drop at center portions of the plurality of cells after application of the electrostatic field produced by the electrodes to the particles,” as recited, *inter alia*, in claim 10.

Applicant respectfully disagrees. FIG. 7 of Yoshiro shows that the electrode portion 22, 25 covers substantially all of the projected area of respective cells (*see also* FIG. 3 of Yoshiro). Applicant respectfully notes that when a coating area of the conductive material is made to be 100% with respect to a projected area of respective cells, the particles are unevenly distributed to a portion of the partition walls formed around respective cells after driving a display cell. As a result, the particles not only come short at a center portion of respective cells but also produce three groups of agglutination members such as “positive charge—positive charge,” “positive charge—negative charge,” and “negative charge—negative charge” when the particles are gathered at the partition walls due to van der Waals force, electrostatic force, and so on. Accordingly, particle drop is generated at the center portion of respective cells. *See* paragraph 0008 of the specification.

Accordingly, because Yoshiro shows that the electrode portion 22, 25, covers substantially all of the projected area of respective cells, Applicant respectfully submits that Yoshiro fails to disclose that the coating area of the electrodes provided on two substrates respectively is patternized in such a manner as to prevent uneven distribution of particles, production of agglutination members, and particle drop. Furthermore, Yoshiro is generally silent

with regard to preventing uneven distribution of particles, production of agglutination members, and particle drop.

At least for these reasons, as well as for the reasons discussed above with respect to claim 1, Applicant respectfully submits that claims 8-10 are patentable over Yoshiro.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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